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The whole Tryal and Examination of *Thomas Caddy* and *Richard Wilson*, who were Try'd at the Kings Bench the 4th of this instant Feb. 1718. for the Murder of Colonel *Henry Luttrell*.

THE Jury being Sworn and the Prisoners put to the Bar, the first Evidence for the King was Thomas Grace, Couzen German to the said Col. Lutterel; who being Sworn, said, That in September 1717, he being in great Distress for want of Money, and in a sinking Condition, the said Lutterel taking no care of him and Family; and being very Intimate with the said Caddy, a Smith by Trade, to whom the said Grace sold Iron, and to whom the said Caddy was about 3 Pounds in Debt; That the said Caddy keeping a publick House in Boot-lane the said Month of September, the said Caddy did very often Importune the said Grace to force a livelihood from his Couzen Lutterel, that after a great many Importunities; the said Grace told Caddy that if he would be True and keep his Secrets, he could raise both their Fortunes; Caddy told Grace that he would do what he could in any respect for the said Grace, and therefore did appoint another Day of meeting, which was three Days after; when they again met at Caddy's House, where the said Grace disclos'd his Mind to Caddy, and told him that if his Couzen Lutterel was Shot, or once out of the Way, that he himself wou'd become his Heir, and that if the said Caddy would perform the same, by the said Graces directions and Assistance, that he should have 30 Pounds a Year during his Life.

Mr. Grace said that the said Caddy stay'd to wait when the said Luttrell should leave the Coffee House, and that the said Grace and Wilson were to wait upon Ormonds Bridge, untill they should hear the said Caddy singing the tune of Cremona, which should be a token between them, that the Col. was coming that Way, which accordingly Caddy perform'd and Sung the said Tune as the Col. went towards the said Bridge, which gave the said Grace and Wilson an Oportunity to pursue the said Luttrell, the said Grace upon a further Examination declared that he Expected 1000 l. by that Discovery, otherwise he believ'd he would not take the trouble, having mist of the Oportunity of being Heir to the said Luttrell, being the next of Kin to him.

That Caddy at the same time told Grace, that he had a particular Friend one Richard Wilson whom he could entrust to perform that work, and therefore Recommended the said Wilson to Grace, as a fit Person and a trusty Friend to perform that Enterprize to which the said Grace concended, that about the 20th. October 1717 the said Grace, Caddy, and Wilson, met together by the Directions of Grace at Caddy's House, where upon Grace produc'd Wilson, as the chief Person to be imploy'd in the said Action.

That that Grace told Wilson that in Case he would perform his Duty, he wold pay him 30 l. a Year dureing his Life, for that as soon as Col. Luttrell was shot Dead, the said Grace was to Inherit all his Estate, and upon the same Wilson Caddy and Grace agreed together, they appointed another Day of meeting in Caddy's House, which was as soon as Col. Luttrell came to Town, being then in Luttrell's Town, and that in the mean while Grace said that he himself and the said Caddy went Day after Day to Col. Luttrell's House in Staffords Street to Examine if he came Home.

But that they waited untill the 22^d of October in the Morning that the said Caddy as he told the said Grace went to a Hugster Womans shop over against Col. Lutterel's house, to Enquire if Coll. Lutterel was come to Town, who told him that he was not, That Caddy coming home about 11 of the Clock he met the Coll. in his Coach going Home, and at same time came to Grace and told him the same, that immediatly Wilson being sent for, they all meeting appointed 7 of the Clock that Night to meet at Caddy's house in Boot-Lane. that meeting there the said Caddy took a Case of Pistols from under his Bed's head, which being nasty and

considering the Wicked, Bloody and Malicious design of the said Grace against the said Prisoners, he the said Grace being a Prisoner in the 4 Court at Night, at last the Jury considering the Charge of the Judge's the Innocency of the Prisoners, and the Malice of the Prosecutor, Acquitted the said Caddy and Wilson after a Tryal from 10 in the Morning till Ten due to such a Prosecutor in Case of the said Prisoners being Convicted. The
Dublin Printed by R. D. 1718.

Rusty, Wilson said that he must needs try them but that he had on Powder, but he could find flints and flugg's, that Grace said he had Powder enough, that the said Wilson took powder and flints and to try the said Pistols after he charged them, he fired into the chimney because the smook should not discover their design, they all keeping the Room Door Lock'd.

The said several Persons going upon that Bloody design to put the same in Execution they went about 8 of the Clock at Night towards Lucas's Coffe House, where they found that the Col. was, and from thence untill half an Hour past Ten they severally watch'd about the said Coffee House, with two Pistols charg'd with Powder and Slugs, that after the Col. came into his Chair the said several Persons pursued him as far as Staffords Street where the said Wilson did so closely pursue him before the rest, untill he shot him at the back of the Chair, whereof he died the next Day.

Doctor Proby, Mr. Archbold and all the other Witnesses against the Prisoners, the said Proby upon his Oath produc'd the very same Slug that he took out of Col. Luttrells Body, which appear'd by the Description that Grace gave of the Slug that he seen the said Pistols charg'd with, to be the very same that Wilson charg'd the Pistol with, and with whom the Col. was actually shot. The Doctor was ask'd by the Court, whether any other Person did see the said Slug besides himself, after he took it out of the Cols. Body; who said that there were a great many People by, to whom it was shew'd, but that he did not know whether Grace was among them or not. Mr. Archbold being also Sworn and Examined, he declared that he was along with Doctor Proby all the while, he himself being a Chyrurgeon sent for, to Examine the Cols. Wound; he declar'd much to the same purpose as Doctor Proby did.

The next Evidence was Daniel Casey then Coachman to the Ld. C: J: Doyme from whome the said Grace, said, the said Pistols were borrowed, who said that some time ago, (but he could not precisely tell) the said Caddy came to him and begg'd that he would Either Lend or Borrow for him a Case of Pistols for a Friend of his that was going into the Country.

That Casey told him that there was an old case of Pistols in his Masters Kitchen but good for nothing, that Caddy said, that any sort would do in a pair of Holsters, he did not care what they were. The Court ask'd Casey what Month that was in, or how soon before or after the Col. Death, who said that he could not well tell, but that it was soon after his Master the late Lord Chief Justice Doyn came out of the Country. The said Lord Chief Justice Doyn being Sworn and Examined about the Month, or Day he came to Town, his Lordship said that it was the 11th of October 1717.

There were several Men and Women Examined on the behalf of the prisoners who vindicated and contradicted the witness for the King, and particularly one Mary Burn, who swore that on the 22d. of October 1717. being the night that Coll. Luttrell was shot, the said Wilson in the company of other persons were eating and Drinking in her house from 10 untill 11 at night but was Cross Examined and therefore thought to come for money or friendship rather than conscience sake, the Sub-Sheriff of Cork was the Last Examined who upon his Oath said that soon after the said Wilson was seiz'd and Committed to Cork Goal, he fil'd off his Boults in order to make his Escape but being Discovered was re-secured and Boulted, the said Wilson desired the Court to ask the said Sheriff for his Character in Cork being a S A W Y E R there, who said that he did not hear any bad Character he had there but that he found some good provision and some Fire Arms in his Room, that Wilson Desired the Sherriff to Declare whether the said Arms were Charged or not, who said they were not, the said Caddy made some former Examinations of the said Wilsons Character of being burnt in hand, which were read in Court but not sworn to.

The said Wilson and Caddy severally desired the Court to ask the said Grace, what Reason he had to drop the Examination he Swore against Madam Luttrell about the said Murder, and why he did not prosecute the said Examination against Madam Luttrell as well as against them, the said Grace made Answer, that his Conscience accused him, and that he would not Prosecute the Innocent along with the Guilty, so the Court and Jury

